

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BOARD MEETING

Monday, March 23, 1981
and
Tuesday, March 24, 1981

J. C. Gilbert,
Chairman

Holiday Inn, South
Lafayette, Louisiana

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

March 23 & 24, 1981

AGENDA

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5. Request by Atlas Construction Company, Inc., for renewal of permit to remove sand, gravel or fill material from the Mississippi River at Mile 18 AHP, vicinity of Fort Jackson, Plaquemines Parish.	2
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MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

held at

Lafayette, Louisiana

March 23, 1981 and
March 24, 1981

Chairman J. C. "Sonny" Gilbert, presiding.

Members present:

Mr. J. C. Gilbert, Chairman
Mr. Charles A. Riggs, Vice Chairman
Mr. Wayne C. Ducote, Member
Mr. James C. Farrelly, Member
Mr. Jesse M. Knowles, Member
Mr. Donald F. Wille, Member

Members absent:

Mr. M. Bobby Orgeron

Also present:

Mr. Jesse J. Guidry, Secretary

* * *

Upon motion of Mr. Jesse M. Knowles, seconded by Mr. Donald F. Wille, and passed unanimously, the Commission dispensed with the reading of the minutes of the February 23 and 24, 1981, Commission Meeting and moved their adoption.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Donald F. Wille, and passed unanimously, that the Commission go into a committee of the whole.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Donald F. Wille, and passed unanimously, that the committee of the whole rise and report progress.

Mr. Donald F. Wille introduced a resolution from the Plaquemines Oyster Association, Inc., and stated that the problem had been resolved but requested the resolution be made a part of the official minutes.

(The full text of the resolution
is here made part of the record.)

BE IT RESOLVED by the Plaquemines Oyster Association, Inc., that a letter be sent to Donald Willie of the Department of Wildlife and Fisheries stating that oil companies should be responsible in marking the outside channel that is used by them and see that the boat captains stay in those channels. This observance by the boat captains would protect the oyster seed grounds and leases which contributes to our economy and promotes the oyster industry in the great State of Louisiana.

Mr. Michael Starr, Attorney from Metairie, Louisiana, representing Robin Seafood of Yscloskey and St. Bernard, requested an extended (5 year) experimental permit for mullet fishing so that a one-million-dollar loan can be secured from a bank to remodel a fish plant for mullet processing on a large scale.

Motion was made by Mr. Donald F. Wille, seconded by Mr. Charles A. Riggs, and passed unanimously, the request to change the permit regulations for the taking of mullet be put on the agenda for discussion at the next meeting.

Motion was made by Mr. James C. Farrelly, seconded by Mr. Jesse M. Knowles, and passed unanimously, that a renewal permit be granted Atlas Construction Company to remove sand, gravel or fill material from the Mississippi River at Mile 50 AHP, vicinity of Woodland, Plaquemines Parish.

(The full text of the resolution
is here made a part of the record.)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Atlas Construction Company, Inc., to remove sand, gravel or fill material from the beds or waterbottoms of the Mississippi River at Mile 50 AHP, vicinity of Woodland, Plaquemines Parish, Louisiana, for a period of one year from February 27, 1981, to February 27, 1982, at a royalty rate of 10¢ per cubic yard.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted Atlas Construction Company, Inc., to remove sand, gravel or fill material from the Mississippi River at Mile 18 AHP, vicinity of Fort Jackson, Plaquemines Parish, Louisiana.

(The full text of the resolution
is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Atlas Construction Company, Inc., to remove sand, gravel or fill material from the beds or waterbottoms of the Mississippi River, at Mile 18 AHP, vicinity of Fort Jackson, Plaquemines Parish, Louisiana, for a period of one year from February 27, 1981, to February 27, 1982, at a royalty rate of 10¢ per cubic yard.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted to T. L. James and Company, Inc., to pump fill material from the Mississippi River in the vicinity of Mile 131.2 near Killona, St. Charles Parish, Louisiana.

(The full text of the resolution
is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James and Company, Inc., to pump fill material from the Mississippi River in the vicinity of Mile 131.2 near Killona, St. Charles Parish, Louisiana, for a period of one year from March 18, 1981, to March 18, 1982, at a royalty rate of 10¢ per cubic yard.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. James C. Farrelly, and passed unanimously, that a renewal permit be granted to H & H Construction Company, Inc., to remove sand fill from the Red River, left descending bank, central to a point about 278.2 miles above the mouth of the waterway, at Bossier City, Louisiana.

(The full text of the resolution
is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to H & H Contracting Company, Inc., to remove sand fill from the Red River, left descending bank, central to a point about 278.2 miles above the mouth of the waterway, at Bossier City, Louisiana, for a period of one year from April 29, 1981, to April 29, 1982, at a royalty rate of 10¢ per cubic yard.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. James C. Farrelly, and passed unanimously, that a renewal

permit be granted to L. Murphy Trucking Service, Inc., to dredge sand from the Mississippi River at Mile 87.9 and Mile 88.5 AHP.

(The full text of the resolution is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to L. Murphy Trucking Service, Inc., to dredge sand from the Mississippi River at Mile 87.9 and Mile 88.5 AHP for a period of one year from May 20, 1981, to May 20, 1982, at a royalty rate of 10¢ per cubic yard.

Mr. Allan Ensminger gave a report on the CITES 3rd Convention in New Delhi, India, which was held during the latter part of February and early March, 1981. This was the third Convention of the International Trade Convention on Endangered Species.

Mr. Bob Dennie gave a report of the Information Section's efforts to augment the public relations program for the Commission to increase attendance at the annual seasons and bag limits public hearings by posters, radio spots and TV spot announcements at minimal or no cost.

Mr. Wayne Ducote made a recommendation and it was agreed upon by the Commission that information-type leaflets containing federal guidelines be given to the public attending the next hearing on seasons and bag limits.

Mr. Wayne Ducote presented recommendations for the Commission's meeting format, background information, etc., as follows:

1. Items for the agenda shall be submitted to the person designated by the Secretary no later than 4:30 P.M. on the Monday one week prior to the scheduled Commission Meeting. After this time, the agenda is considered closed and no additional items shall be considered on this month's agenda.
2. A packet containing an agenda and background information on all items to be brought before the Commission shall be received by Commission Members by Thursday prior to the scheduled Commission Meeting.

3. Agenda items shall be numbered consecutively and the supporting documents and/or background information shall be numbered to correspond with the numbers on the agenda. If there are more than one supporting paper, they shall be numbered 1A, 1B, etc. Relevant contracts, leases, study and research results, budgets, and sources of funds shall be included. If this information is too voluminous then it shall be provided upon request by each individual Commission Member.
4. A cover sheet shall be included in the packet which shall contain staff recommendations as to the course of action on each item and to condense the information contained in the supporting documents.
5. A sample of the resolution to be introduced shall be provided on each item which requires Commission action shall be in the packet.
6. Commission Meetings shall have the following format:
 - A. Opening remarks by Chairman.
 - B. Opening remarks by Secretary.
 - C. Reports and announcements on hearings and meetings held during the time span of the last Commission Meeting and the present one.
 - D. Motions by Commission Members.
 - E. Motions by Staff Members.
 - F. Standing Committee Reports and related motions.
 - G. Special Committee Reports and related motions.
 - H. Communications--to hear letters or requests to appear before the Commission at a future meeting or to appear before a regular or special committee, and to hear speakers from the audience and public comment. No action is to be taken under communications.
 - I. Agenda items not on the printed agenda--may be heard if the rules are suspended (which requires a unanimous vote of all Commission Members present and acted upon accordingly).

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Wayne Ducote, that No. 6.I. Agenda items not on the printed agenda may be heard if the rules are suspended which requires a simple majority vote of Commission Members present. A roll call vote was taken with Messrs. Ducote, Farrelly, Knowles, Riggs and Wille, all voting "yes." Motion passed unanimously.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. James C. Farrelly, and passed unanimously, that items for the agenda shall be submitted to the person designated by the Secretary no later than 4:30 P.M. on the Monday one week prior to the scheduled Commission Meeting. After this time, the agenda is considered closed and no additional items shall be considered on this month's agenda.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. Donald F. Wille, that Items 2, 3, 4 and 5 be deferred until the next meeting to give the staff an opportunity to review the proposals.

A substitute motion was made by Mr. Wayne C. Ducote, seconded by Mr. James C. Farrelly, that Items 3 and 5 only be deferred until the next meeting. A roll call vote was taken with Messrs. Ducote and Farrelly voting "yes" and Messrs. Knowles, Riggs and Wille voting "no." The motion failed by a vote of 3 to 2.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. Donald F. Wille, that Items 2, 3, 4 and 5 be deferred until the next meeting. A roll call vote was taken with Messrs. Ducote and Farrelly voting "no" and Messrs. Knowles, Riggs and Wille voting "yes." The motion passed by a vote of 3 to 2.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. James C. Farrelly, and passed unanimously, that Item No. 6.A, B, C, D, F, G, H, with E eliminated, be adopted as a Commission regulation.

Mr. James C. Farrelly asked that the Secretary and his staff be furnished with Mr. Wayne Ducote's recommendations for Commission Meetings.

The request for an extended experimental mullet permit for Robin Seafood Company was again discussed. Mr. Wayne Ducote asked that Mr. Peter E. Duffy, Attorney, look into this and give a written opinion as to whether or not the Commission should act on this matter.

Chairman Gilbert re-emphasized that the Commission needs to know who has the right or authority to make the determination as to whether or not the permit should be issued.

Motion was made by Mr. Wayne Ducote, seconded by Mr. Jesse M. Knowles, that this item be turned over to the Secretary for action. After some additional discussion, Mr. Ducote withdrew his motion.

Mr. James C. Farrelly requested Chairman Gilbert, Mr. Peter Duffy, Attorney, and Secretary Guidry to meet to determine who has the authority to permit the mullet. If the Commission has the authority, then the Commission would like Mary Mitchell to make an impact statement and have it published in the Louisiana Register. If the authority is with the Secretary, then the Commission has no action to take.

Mr. Michael Starr, representative of Robin Seafood Company, stated that they would like to know what the experimental period is. As they understood it, the experimental period for evaluating fishing of a species was three years. If that is the case, the three years have elapsed in this instance.

Chairman Gilbert announced the dates for the April meeting: April 27 and 28, 1981, at the Airport Hilton in Kenner, Louisiana. The public hearing on seasons and bag limits is set for 7:00 P.M., April 27, 1981, at the Airport Hilton, Kenner, Louisiana.

Chairman Gilbert announced the dates for the May meeting: May 25 and 26, 1981, at the Ramada Inn in Alexandria, Louisiana. The public hearing on seasons and bag limits is set for 7:00 P.M., May 25, 1981, at the Ramada Inn, Alexandria, Louisiana.

Motion was made by Mr. Donald F. Wille, seconded by Mr. Charles A. Riggs, and passed unanimously, that the Chairman authorize travel for those Commission Members attending the International Paper Company meetings in Nacogdoches, Texas, on March 15 and 16, 1981.

Motion was made by Mr. Jesse Knowles, seconded by Mr. Donald Wille, and passed unanimously, that the Chairman authorize travel for those Commission Members attending the Louisiana Wildlife Federation Meeting, New Orleans, March 6th.

Meeting adjourned.

Jesse J. Guidry
Secretary

J. C. Gilbert
Chairman